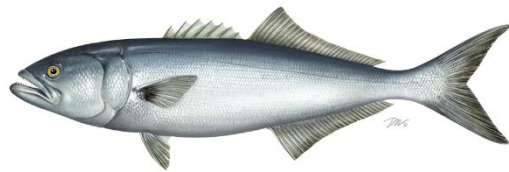
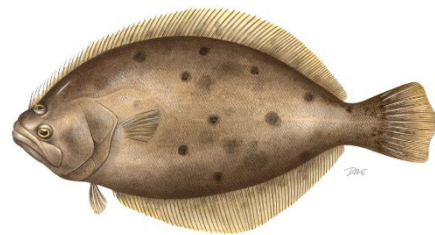
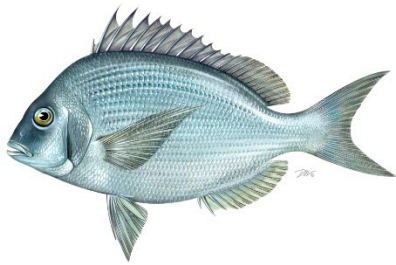


# Atlantic States Marine Fisheries Commission

## ADDENDUM XXXIV TO THE SUMMER FLOUNDER, SCUP, AND BLACK SEA BASS FISHERY MANAGEMENT PLAN AND ADDENDUM II TO THE BLUEFISH FISHERY MANAGEMENT PLAN

### *Harvest Control Rule for Recreational Management of Summer Flounder, Scup, Black Sea Bass, and Bluefish*



Approved June 2022



*Sustainable and Cooperative Management of Atlantic Coastal Fisheries*

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## **1.0 Introduction**

Summer flounder, scup, black sea bass, and bluefish fisheries are managed cooperatively by the Atlantic States Marine Fisheries Commission (ASMFC or Commission) in state waters (0-3 miles) and by the Mid-Atlantic Fishery Management Council (MAFMC or Council) and NOAA Fisheries in federal waters (3-200 miles). Summer flounder, scup, and black sea bass are managed under fishery management plan (FMP) and bluefish is managed under a separate FMP. The management unit for summer flounder in U.S. waters is the western Atlantic Ocean from the southern border of North Carolina northward to the U.S.-Canadian border. The management unit for scup and black sea bass in U.S. waters is the western Atlantic Ocean from Cape Hatteras, North Carolina northward to the Canadian border. Bluefish are managed in U.S. waters along the entire eastern seaboard, from Maine to Florida.

The Council and Commission jointly agree to recreational annual catch limits (ACLs) and recreational harvest limits (RHLs) for all four species, which apply throughout the management units. They also jointly agree to the overall approach to setting recreational bag, size, and season limits (i.e., recreational measures).

The goal of the Commission's Addenda and the Council's Framework is to establish a process for setting recreational bag, size, and season limits for summer flounder, scup, black sea bass, and bluefish such that measures aim to prevent overfishing, are reflective of stock status, appropriately account for uncertainty in the recreational data, take into consideration angler preferences, and provide an appropriate level of stability and predictability in changes from year to year.

## **2.0 Overview**

### **2.1 Statement of Problem**

As described in more detail in section 2.2, the Commission and Council face a number of challenges setting recreational management measures for summer flounder, scup, black sea bass, and bluefish, including concerns related to uncertainty and variability in the recreational fishery data, the need to change measures (sometimes annually) based on those data, as well as the perception that measures are not reflective of current stock status. In addition, management measures have not always had their intended effect on overall harvest.

The purpose of this document is to establish an interim process for setting recreational bag, size, and season limits for summer flounder, scup, black sea bass, and bluefish that level of stability and predictability in changes from year to year. relies less on expected fishery performance and instead use a more holistic approach with greater emphasis on stock status indicators and trends (as described in the introduction).

The management approach for setting recreational measures for summer flounder and black sea bass established under [Addendum XXXII](#) to the Summer Flounder, Scup, and Black Sea Bass FMP addressed several key management objectives and served as a foundation for broad-based, long-term management reform. Starting with this document, the Commission's

Interstate Fisheries Management Policy Board and the Council will continue to address ongoing management challenges and objectives via comprehensive, long-term management reforms over the next several years. Those actions will draw upon improved recreational fishery data, updated stock assessments, and innovative management tools.

## **2.2 Background**

For all four species, recreational ACLs are set jointly by the Commission's species management boards and the Council. ACLs account for landings and dead discards. A RHL for each species is set equal to the ACL minus expected dead discards. Prior to these addenda, recreational measures (i.e., bag, size, and season limits) were set with the goal of preventing RHL overages. In preventing RHL overages, recreational measures also aimed to prevent ACL overages and overfishing.

The ACLs and RHLs are revised when new stock assessment information becomes available. They are based on stock assessment projections, considerations related to scientific uncertainty, and commercial/recreational allocations. The RHLs incorporate assumptions about dead discards and can be further reduced to account for management uncertainty.

The FMPs for the four species did not specify what methods should be used to determine which recreational management measures were likely to prevent RHL overages; thus, the methods could differ from year to year based on annual recommendations from the Council's Monitoring Committees and the Commission's Technical Committees. Typically, harvest data from the Marine Recreational Information Program (MRIP) for one or more recent years have been used to predict the impacts of changes in bag, size, or season limits on harvest when setting recreational measures. This process relied on the assumption that if the recreational measures remained unchanged, then next year's harvest would be similar to harvest in the current year or a recent multi-year average. If unchanged measures were expected to result in harvest notably above or below the RHL, then the measures were adjusted to achieve a desired percent liberalization or reduction in harvest based on an analysis of trends shown in recent years' MRIP data.

To allow for consideration of preliminary, current year MRIP data, the Commission's species management boards and Council typically determine the overall approach for the upcoming year's recreational measures (e.g., status quo or an overall percentage liberalization or reduction) in December of the current year. They also agree to the federal waters measures in December with the approach for developing state waters measures typically approved by the boards in February of the following year.

Of the four species, those that tend to meet or exceed their RHL (primarily summer flounder and black sea bass) have required frequent changes to the recreational bag, size, and season limits to prevent future RHL overages. In some cases, the required changes in measures appear to have responded to variability and uncertainty in the MRIP data rather than a clear conservation need. This challenge has been referred to as "chasing the RHL." In addition, many recreational stakeholders expressed frustration that the black sea bass measures did not seem

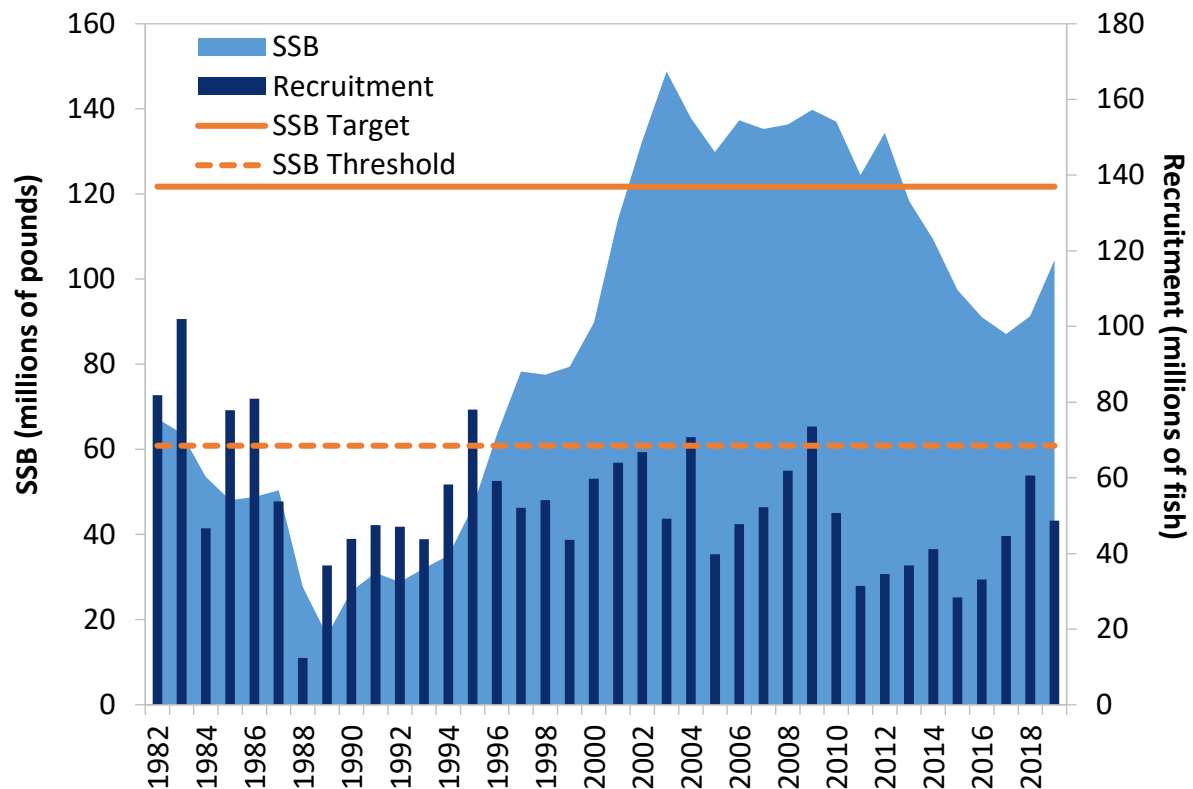
reflective of stock status as they had generally been more restrictive when the stock was healthy compared to when the stock was under a rebuilding plan.

The bluefish stock was declared overfished in 2019, triggering the development of a rebuilding plan and a need for more restrictive management measures than had previously been in place. The Addenda include special considerations for stocks in a rebuilding plan. The management program outlined in this document is not meant to replace the bluefish rebuilding measures. Any measures implemented for bluefish must comply with the rebuilding plan.

## 2.3 Status of the Stocks

### 2.3.1 Summer Flounder

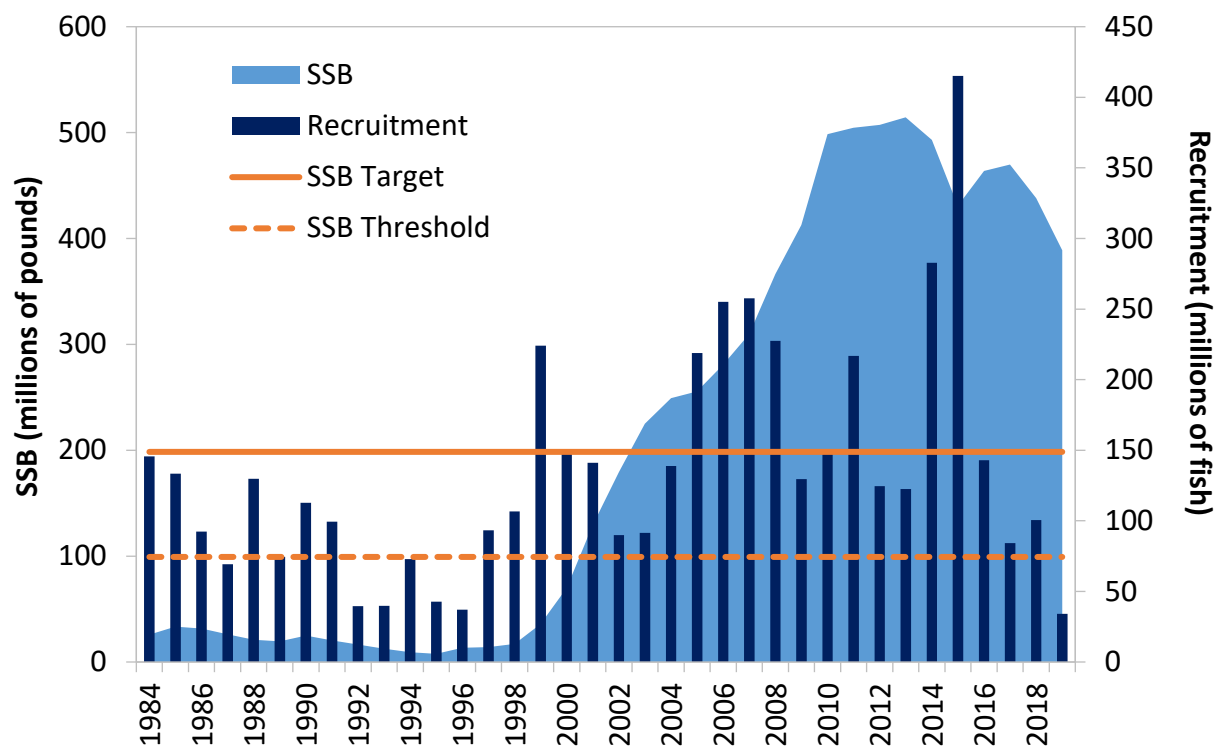
The most recent summer flounder management track stock assessment was completed in June 2021, using data through 2019 (NEFSC 2021a). The Council and Commission FMP for summer flounder defines the management unit as all summer flounder from the southern border of North Carolina to the United States-Canada border. The assessment approach is a complex statistical catch-at-age model incorporating a broad array of fishery and survey data. Results from the 2021 assessment indicate that the summer flounder stock was not overfished, but was 14% below the biomass target and overfishing was not occurring in 2019 (Figure 1). Fishing mortality was 20% below the threshold level defining overfishing. More detail on the assessment can be found [here](#). The 2021 management track stock assessment provided the basis for setting fishery specifications for 2022–2023.



**Figure 1.** Summer flounder spawning stock biomass and recruitment. Source: 2021 Operational Assessment Prepublication Report, Northeast Fisheries Science Center.

### 2.3.2 Scup

The most recent scup management track stock assessment was completed in June 2021, using data through 2019 (NEFSC 2021b). The Council and Commission FMP for scup defines the management unit as all scup from Cape Hatteras, North Carolina to the United States-Canada border. The assessment approach is a complex statistical catch-at-age model incorporating a broad array of fishery and survey data. Results from the 2021 assessment indicate that the scup stock was not overfished and was about two times the biomass target, and overfishing was not occurring in 2019 (Figure 2). Fishing mortality was 32% below the threshold level defining overfishing. More detail on the assessment can be found [here](#). The 2021 management track stock assessment provided the basis for setting fishery specifications for 2022–2023.



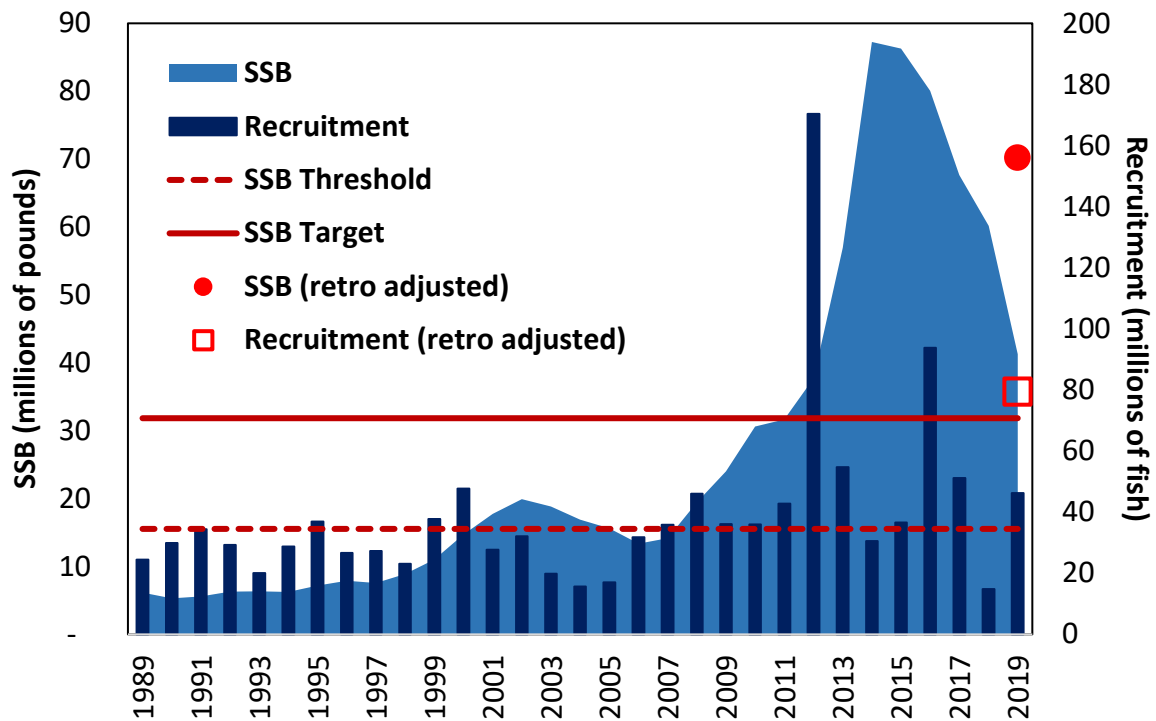
**Figure 2.** Scup spawning stock biomass and recruitment. Source: 2021 Operational Assessment Prepublication Report, Northeast Fisheries Science Center.

### 2.3.3 Black Sea Bass

The most recent black sea bass stock assessment update was completed in July 2021, using data through 2019 (NEFSC 2021c). The Council and Commission FMP for black sea bass defines the management unit as all black sea bass from Cape Hatteras, North Carolina to the United States-Canada border. The assessment modeled black sea bass as two separate sub-units (North and South) divided approximately at Hudson Canyon, from which results were combined for the entire stock's status determination. The assessment used a combined-sex, age-structured assessment model. Results from the 2021 assessment indicate that the black sea bass stock was not overfished and was about 2.2 times the target level, nor was overfishing

occurring in 2019 (Figure 3). Fishing mortality was 15% below the threshold level defining overfishing. Because the assessment model tends to underestimate biomass and recruitment in the terminal year of the assessment (2019 in this case), an upward adjustment to the estimates of spawning stock biomass and recruitment were made to more accurately reflect this. The adjustment was only applied to the 2019 estimates, with the adjusted values used for management. Of the four species considered in this action, only black sea bass required a retrospective adjustment in the assessment. More detail can be found [here](#). The 2021 management track stock assessment provided the basis for setting fishery specifications for 2022–2023.

**Figure 3.** Black sea bass spawning stock biomass and recruitment with retrospective adjusted

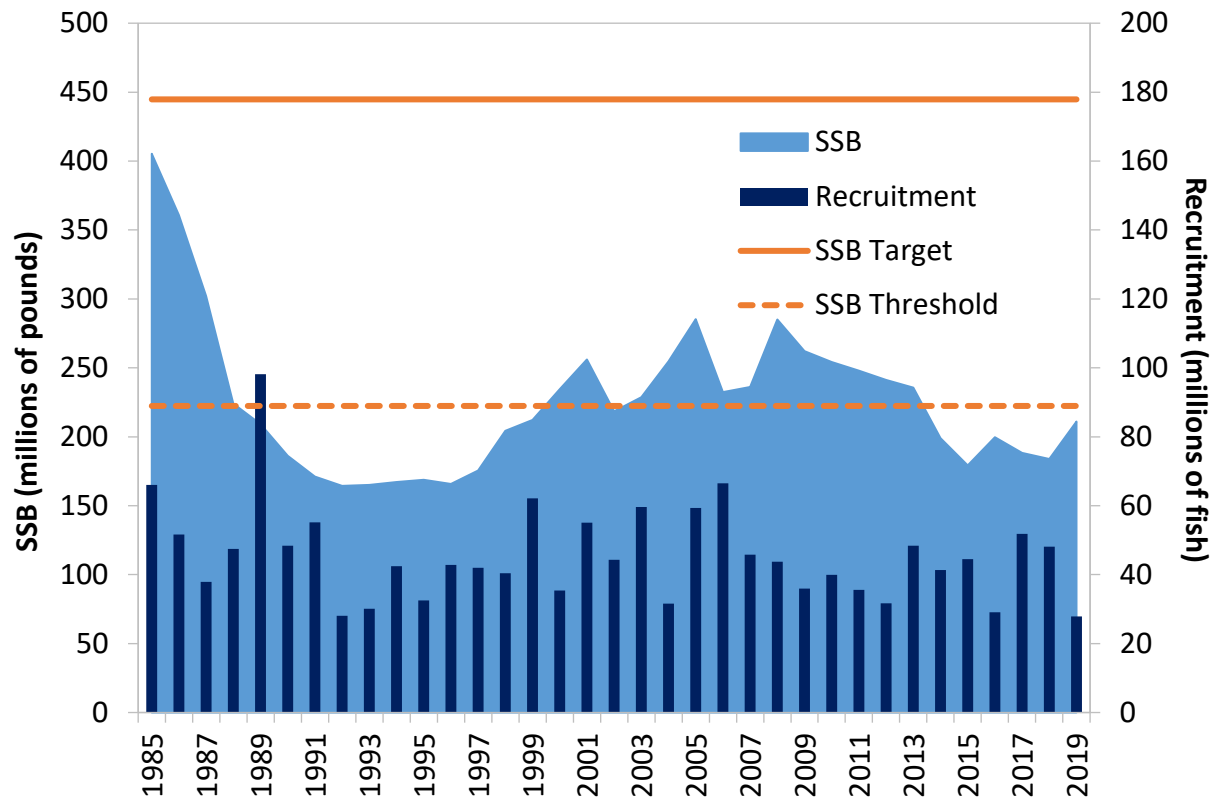


values. Source: 2021 Operational Assessment Prepublication Report, Northeast Fisheries Science Center.

### 2.3.4 Bluefish

The most recent bluefish management track stock assessment was completed in June 2021, using data through 2019 (NEFSC 2021d). The Council and Commission FMP for bluefish defines the management unit as all bluefish in United States waters of the western Atlantic Ocean. The assessment approach is a complex statistical catch-at-age model incorporating a broad array of fishery and survey data. Results from the 2021 assessment indicate that the bluefish stock was overfished and was 5% below the overfished threshold, but overfishing was not occurring in 2019 (Figure 4). Fishing mortality was 5% below the threshold level defining overfishing. More detail on the assessment can be found [here](#).

The 2021 management track stock assessment along with the preferred rebuilding plan selected jointly by the Board and Council at their June 2021 meeting provided the basis for setting fishery specifications for 2022–2023.



**Figure 4.** Bluefish spawning stock biomass and recruitment. Source: 2021 Operational Assessment Prepublication Report, Northeast Fisheries Science Center.

## 2.4 Status of the Fishery

### 2.4.1 Summer Flounder

Recreational harvest of summer flounder peaked in 1983 at 36.74 million pounds and declined to a time series low of 5.66 million pounds in 1989. A more recent review of recreational fishery performance from 2011 to 2020 reveals an average of 12.59 million pounds with a high of 19.41 million pounds in 2013 and a low of 7.60 million pounds in 2018. Recreational harvest in 2020 was 10.06 million pounds, a 29% increase from the prior year's harvest of 7.80 million pounds. The total recreational catch (harvest plus live and dead releases) of summer flounder in 2020 was 33.32 million fish, slightly lower than 1982-2020 time series average of 34.46 million fish. The assumed discard mortality rate in the recreational fishery is 10%. In 2020, an estimated 80% of the harvest (in numbers of fish) originated from private/rental boats, while shore-based anglers and party/charter boats accounted for an average of 18% and 2% of the harvest, respectively. In addition, 61% of summer flounder harvested by recreational anglers (in numbers of fish) were caught in state waters and about 39% in federal waters.



### **2.4.2 Scup**

Most recreational scup catches are taken in states of Massachusetts through New York. From 2011 to 2020, recreational harvest has ranged from 8.27 million pounds in 2012 to 14.12 million pounds in 2019. In 2020, recreational harvest was 12.91 million pounds. The total catch (harvest plus releases) of scup in 2020 were 27.27 million fish, slightly higher than the ten year average of 27.07 million fish. The assumed discard mortality rate in the recreational fishery is 15%. In 2020, an estimated 62% of the harvest (in numbers of fish) originated from private/rental boats, while shore-based anglers and party/charter boats accounted for an average of 28% and 10% of the harvest, respectively. In addition, 90% of scup harvested by recreational anglers (in numbers of fish) were caught in state waters and about 10% in federal waters.

### **2.4.3 Black Sea Bass**

After a peak in 1986 at 11.19 million pounds, recreational harvest of black sea bass averaged 5.02 million pounds annually from 1987 to 1997. Recreational harvest limits were put in place in 1998 and harvest generally increased from 1.92 million pounds in 1998 to 9.06 million pounds in 2015. In 2016 and 2017, harvest jumped up to 12.05 and 11.48 million pounds, respectively. In 2020, recreational harvest was estimated at 9.12 million pounds with recreational live discards from Maine to Virginia estimated to be 29.79 million fish. Assuming 15% hook and release mortality, estimated recreational dead discards are 4.47 million fish, equal to 51% of the total recreational removals (harvest plus dead discards).

### **2.4.4 Bluefish**

From 2011-2020, recreational catch averaged 44.46 million fish annually. In 2020, recreational catch was estimated at 30.68 million fish. In 2020, recreational anglers harvested an estimated 9.34 million fish weighing 13.58 million pounds. Harvest during 2018-2020 was exceptionally low compared to the ten-year average of 25.69 million pounds. The 2020 average weight of landed fish is 1.45 pounds, which is also lower than the ten-year average of 1.65 pounds. This lower average weight is due to the majority of landings occurring in southern states in 2020, which typically harvest a smaller fish. In 2020, the majority of the recreational harvest (pounds) came from Florida (42%), North Carolina (16%), New Jersey (13%), and New York (11%). Fish from southern states (North Carolina-Florida) made up 59% of the landings and are typically smaller on average than fish caught in northern states (Maine-Virginia). In 2020, recreational dead releases (15% of released alive fish) were estimated at 3.20 million fish.

## **3.0 Management Program**

Addendum XXXIV to the Summer Flounder, Scup, and Black Sea Bass FMP and Addendum II to the Bluefish FMP establish an interim management program for all four species for setting recreational management measures for the 2023, 2024, and 2025 fishing years, with a goal of implementing a new and improved approach to managing the recreational fisheries by the beginning of 2026. If the recreational measures setting process is not updated through an amendment to the Summer Flounder, Scup, and Black Sea Bass and Bluefish FMPs prior to 2026, then the recreational measures setting process will revert back to the processes outlined

[Addendum XXXII](#) for summer flounder and black sea bass, [Addendum XI](#) for scup, and [Amendment 1](#) for bluefish.

Stocks under an approved rebuilding plan are subject to the measures of that rebuilding plan, which may differ from the process identified below. The process outlined in this document is not meant to replace rebuilding plan measures. In some instances, measures implemented through the below process may be used as temporary measures until a rebuilding plan is implemented, which can take up to two years after the stock is declared overfished.

For all four species, recreational management measures are set every two years through a specifications process. The Council and Board consider adjusting the recreational management measures in sync with setting catch and landings limits in response to updated stock assessment information. It is anticipated that updated stock assessments will be available every other year. In interim years, the Council and Board review the catch and landings limits compared to the management measures. They may revise the measures in interim years if new data such as a research track stock assessment or other technical reports suggest the measures are not performing as expected or if a change is needed for other reasons. In the interim year, measures are reviewed and may be modified if new data suggest a major change in the expected impacts of those measures on the stock or the fishery. During years when stock assessment information is available, the decision to change the management measures is dependent on the outcome of the percent change approach described below.

### **3.1 Percent Change Approach**

When determining if recreational management measures are liberalized, restricted, or remain unchanged, the percent change approach considers the comparison of a confidence interval (CI)<sup>1</sup> around an estimate of expected harvest and the average RHL for the upcoming two years, as well as biomass compared to the target level ( $B/B_{MSY}$ ).

The first step in determining the overall percent change in harvest is to compare the average RHL for the upcoming two years to the CI<sup>2</sup> of the most recent two years of MRIP estimates, or to a CI around an alternative predictor of harvest based on a robust statistical methodology, such as a model-based approach, approved by the Technical and Monitoring Committees. The MRIP estimates (or approved alternative estimates) are intended as a proxy for expected harvest in the upcoming years under status quo measures. Depending on whether the average RHL is above the upper bound of the CI, within the CI, or below the lower bound of the CI

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<sup>1</sup> A confidence interval provides an upper and lower bound around a point estimate to indicate the range of possible values given the uncertainties around the estimate. For example, a CI of 5% for an estimate of 100 would mean that the value could fall anywhere between 105 and 95. In this option, the CI represents a range of potential harvest estimates that can be reasonably expected to encompass the true harvest value.

<sup>2</sup> Specifically, an 80% joint distribution CI has been suggested as this method takes into consideration the percent standard error (PSE) of each individual years' MRIP estimate and the variability of the estimates between years.

around the estimate of expected harvest, the management responses are narrowed down to those illustrated in rows A, B, and C in Table 1, respectively.

The second step narrows down the suite of potential management responses further by taking into consideration the  $B/B_{MSY}$  ratio. The third column in Table 1 displays the resulting percent change in harvest required for the upcoming two years.

When the upcoming two-year average RHL is greater than the upper bound of the harvest estimate CI (Row A), the appropriate percent change in harvest is one of the following outcomes depending on the stock size. If the  $B/B_{MSY}$  ratio is less than 1 (i.e., biomass is below the target level), harvest is liberalized by 10%. If the  $B/B_{MSY}$  ratio is between 1 and 1.5 (i.e., the stock is between the target biomass level and 150% of the target level), the harvest liberalization percentage is set equal to the difference between the harvest estimate and the upcoming two-year average RHL, but no greater than a 20% liberalization. If the  $B/B_{MSY}$  ratio is greater than 1.5 (i.e., the stock is greater than 150% of the target biomass level), the harvest liberalization percentage is set equal to the difference between the harvest estimate and the upcoming two-year average RHL, but no greater than a 40% liberalization.

When the upcoming two-year average RHL is within the CI (Row B), the appropriate percent change in harvest is one of the following outcomes depending on the stock size. If the  $B/B_{MSY}$  ratio is less than 1, a 10% reduction in harvest is required. No change in measures is required if the  $B/B_{MSY}$  ratio is between 1 and 1.5. Harvest is liberalized by 10% if the  $B/B_{MSY}$  ratio exceeds 1.5.

When the upcoming two-year average RHL is less than the lower bound of the harvest estimate CI (Row C), the appropriate percent change in harvest is one of the following outcomes depending on the stock size. If the  $B/B_{MSY}$  ratio is less than 1, the required harvest reduction percentage is set equal to the difference between the harvest estimate and the two-year average RHL, but no greater than a 40% reduction. If the  $B/B_{MSY}$  ratio is between 1 and 1.5 the required reduction percentage is set equal to the difference between the harvest estimate and the upcoming two-year average RHL, but no greater than a 20% reduction. A 10% harvest reduction is required if the  $B/B_{MSY}$  ratio is greater than 1.5.

**Table 1.** Process for determining the appropriate percent change in harvest when developing management measures under the percent change approach.

Row	Future RHL vs Harvest Estimate <sup>3</sup>	Stock Size SSB/SSB <sub>MSY</sub> <sup>4</sup>	Change in Harvest
A	Future 2-year average RHL greater than upper bound of harvest estimate confidence interval	> 1.5	Liberalization percent equal to difference between harvest estimate and 2-year avg. RHL, not to exceed 40%
		1 – 1.5	Liberalization percent equal to difference between harvest estimate and 2-year avg. RHL, not to exceed 20%
		< 1	10% Liberalization
B	Future 2-year average RHL within confidence interval of harvest estimate	> 1.5	10% Liberalization
		1-1.5	0%
		< 1	10% Reduction
C	Future 2-year average RHL less than lower bound of harvest estimate confidence interval	> 1.5	10% Reduction
		1-1.5	Reduction percent equal to difference between harvest estimate and 2-year avg. RHL, not to exceed 20%
		< 1	Reduction percent equal to difference between harvest estimate and 2-year avg. RHL, not to exceed 40%

<sup>3</sup> The two year average MRIP estimate with associated CI is intended as a predictor of future harvest under status quo measures. This may be replaced with robust statistical methodology, such as a model-based approach, for predicting harvest.

<sup>4</sup> The proposed B/B<sub>MSY</sub> inflection points are based on the Council’s Risk Policy. Future changes to the Council risk policy may warrant reconsideration of this proposed process.

Once the appropriate percent change in harvest is determined, the specifications process continues as following for each of the four species:

### **3.1.1 Summer Flounder**

Many of the steps from Addendum XXXII will still apply to the summer flounder specifications process, with some minor changes. The summer flounder specifications process involves the following steps:

- At the joint meeting with the Council typically in December, the Board and Council decide whether to specify coastwide measures or conservation equivalent management measures using guidelines agreed upon by both management authorities. If the latter, the Board is then be responsible for establishing recreational measures to achieve the required percent change in harvest.
- The Technical Committee continues to evaluate harvest estimates as they are released, and project how suites of possession limits, size limits, and seasons might impact recreational landings in each region. In recommending adjustments to measures, the Technical Committee examines several factors and suggest a set of regional regulations, which when combined, are projected to achieve the required percent change in harvest. These factors could include but are not limited to stock status, resource availability (based on survey and assessment data), and fishery performance (harvest, discards, effort, estimate uncertainty, inter-annual variability), as well as the standards and guiding principles set forth below. The Board uses information provided by the Technical Committee to approve a methodology for the states to use in developing regional proposals, typically at the Commission's Winter Meeting.
- The states collaborate to develop regional proposals for the current year's recreational measures that include possession limits, size limits and season length pursuant to the Board-approved methodology. These proposals are reviewed by the Technical Committee to ensure the data and analysis are technically sound. Public input on proposed measures can be gathered at the state level through state public processes, and are brought to the Board by state commissioners for consideration when finalizing measures.
- The Board reviews state proposals, Technical Committee recommendations, and establishes final measures at a Summer Flounder, Scup, and Black Sea Bass Board meeting.
- Once the Board has approved the measures and the states have promulgated them, the Commission sends a letter to the Regional Administrator certifying the Board approved measures, in combination, are expected to achieve the required percent change in harvest.

The Board also uses a set of standards and guiding principles to structure the development of measures during summer flounder specification setting (adopted from [Addendum XXXII](#) Section 3.1.1):

1. Measures are developed using a six-region approach, where the regions are defined as: 1) Massachusetts, 2) Rhode Island, 3) Connecticut-New York, 4) New Jersey, 5) Delaware-Virginia, and 6) North Carolina.

2. Recreational measures for all states within a region consist of the same minimum size limit, possession limit, and season length.
3. For regions that propose to use an alternative methodology or other regulatory changes outside of those proposed by the Technical Committee, they must first be considered and approved by the Board.

In addition to the standards, the setting of measures through specifications should also strive to adhere to these guiding principles in order to provide fair and equitable access to the resource:

While allowing for a reasonable amount of flexibility based on the performance of the fishery and stock availability, regional measures should adjust unidirectionally along the coast to maintain an equitable opportunity to harvest fish for all stakeholders. The intent is to establish regional measures that do not change significantly on an annual basis nor diverge significantly between bordering states over time.

### **3.1.2 Scup**

The scup specifications process involves the following steps:

- At the joint meeting with the Council typically in December, the Board and Council determine whether to maintain status quo measures or liberalize or restrict measures as defined by the Percent Change Approach.
- States then proceed to develop proposals for the upcoming year's recreational measures that include possession limits, size limits, and season length. These proposals are reviewed by the Technical Committee to ensure the data and analysis are technically sound.
- The Board reviews state proposals, Technical Committee recommendations, and approve final measures at the Commission's winter meeting.

### **3.1.3 Black Sea Bass**

Many of the steps from Addendum XXXII still apply to the black sea bass specifications process, with some minor changes. The black sea bass specifications process involves the following steps:

- At the joint meeting with the Council typically in December, the Board and Council decide whether to specify coastwide measures or conservation equivalent management measures using guidelines agreed upon by both management authorities. If the latter, the Board is then responsible for establishing recreational measures to achieve the required percent change in harvest.
- The Technical Committee continues to evaluate harvest estimates as they are released, and project how suites of possession limits, size limits, and seasons might impact recreational landings in each region. In recommending adjustments to measures, the Technical Committee examines several factors and suggest a set of regional regulations, which when combined, are projected to achieve the required percent change in harvest. These factors could include but are not limited to stock status, resource availability (based on survey and

assessment data), and fishery performance (harvest, discards, effort, estimate uncertainty, inter-annual variability), as well as the standards and guiding principles set forth below. The Board uses information provided by the Technical Committee to approve a methodology for the states to use in developing regional proposals, typically at the Commission's Winter Meeting.

- The states collaborate to develop regional proposals for recreational measures that include possession limits, size limits, and season length pursuant to the Board-approved methodology. These proposals are reviewed by the Technical Committee to ensure the data and analysis are technically sound. Public input on proposed measures is gathered at the state level through state public processes, and brought to the Board by state Commissioners for consideration when finalizing measures.
- The Board reviews state proposals, Technical Committee recommendations, and establishes final measures at a Summer Flounder, Scup, and Black Sea Bass Board meeting.
- Once the Board has approved the measures and the states have promulgated them, the Commission sends a letter to the Regional Administrator certifying the Board approved measures, in combination, which achieves the required percent change in harvest.

The Board also uses a set of standards and guiding principles to structure the development of measures during black sea bass specification setting (adopted from [Addendum XXXII](#) Section 3.2.1):

1. Measures are developed using a three-region approach, where the regions are defined as Massachusetts through New York; New Jersey; and Delaware through North Carolina (north of Cape Hatteras).
2. The Board determines how a coastwide harvest liberalization or reduction is distributed among the regions, based on factors including (but not limited to) resource distribution and expected availability, angler effort, prior year fishery performance, and Technical Committee recommendations. This process results in annual de facto harvest targets for each region; these targets are not allocations nor do they necessarily set a precedent for setting future allocations. The regions work together to develop recreational measures that achieve the coastwide percent change in harvest.
3. Recreational measures within a region are crafted using the prior year's measures as a starting point. States within the region develop measures that collectively achieve but do not exceed the de facto harvest target set by the Board. In the event that a region is not required to reduce harvest from the prior year, no state will be required to restrict measures. In the event that a region is allowed to liberalize harvest, states develop their measures in a manner that collectively reduces intraregional disparities (e.g., states with relatively restrictive measures, as determined by the Technical Committee based on performance, should be allowed a larger liberalization, while states with relatively liberal measures should take a smaller liberalization or remain at status quo). In the event that region must reduce harvest, states develop measures in a manner that ensures each state

takes an equitable reduction, with consideration given to prior year fishery performance, resource distribution and expected availability, angler effort, and TC recommendations.

### **3.1.4 Bluefish**

Many of the steps from Section 5.1.4.1.3 of [Amendment 1](#) still apply to the bluefish specifications process, with some minor changes. The bluefish specifications process involves the following steps:

- At a joint meeting with the Council, typically in August or December, the Council and Board determine whether to maintain status quo coastwide measures or liberalize or restrict measures are needed to achieve the required coastwide percent change in harvest.
- In order to achieve the percent change in harvest, recreational fisheries are constrained by a regime of coastwide size limits, bag limits, and seasons. Once a basic regime for these limits is established, states are given the opportunity to vary these measures in accordance with the Commission's Conservation Equivalency Guidelines<sup>5</sup>.
- A state may submit a proposal to change its regulatory program to the Commission. Such changes shall be submitted to ASMFC staff, which distributes the proposal to the Management Board, the Technical Committee, and the Advisory Panel.
- States must submit proposals at least two weeks prior to a planned meeting of the Technical Committee.
- ASMFC staff is responsible for gathering the comments of the Technical Committee and the Advisory Panel and presenting these comments to the Board at the Commission's Winter Meeting.
- The Board decides whether to approve the state proposal for an alternative management program based on whether it is consistent with the harvest target and the goals and objectives of the FMP.

### **3.2 Accountability Measures for Summer Flounder, Scup, Black Sea Bass, and Bluefish**

The Council's Framework revises the recreational accountability measures (AMs) for all four species. The AMs are included in the Council's FMP and they are not included in the Commission's FMP. The updated AMs will be implemented through the NOAA Fisheries final rulemaking. In summary, the recreational AMs for all four species have been updated so that when biomass is between the target and threshold levels, the requirement of paying back recreational catch limit overages will account for whether those overages contributed to overfishing based on the most recent stock assessment information. The AMs will also be modified such that when a payback is needed, it may be evenly spread over two years if doing so allows for use of identical recreational management measures across the upcoming two years.

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<sup>5</sup> [http://www.asmfc.org/files/pub/ConservationEquivalencyGuidance\\_2016.pdf](http://www.asmfc.org/files/pub/ConservationEquivalencyGuidance_2016.pdf)



#### **4.0 Compliance**

This Addendum does not implement any changes to current compliance requirements.

#### **5.0 Literature Cited**

MAFMC & ASMFC. 1998. Amendment 1 to the Bluefish Fishery Management Plan; <http://www.asmfc.org/uploads/file/bluefishAmendment1Vol1.pdf>

ASMFC. 2004. Addendum XI to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan; <http://www.asmfc.org/uploads/file/scupAddendumXI.pdf>

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NEFSC. 2021a. Summer Flounder Management Track Assessment for 2021; [https://apps-nefsc.fisheries.noaa.gov/saw/sasi/uploads/2021\\_summer\\_flounder\\_MTA\\_report.pdf](https://apps-nefsc.fisheries.noaa.gov/saw/sasi/uploads/2021_summer_flounder_MTA_report.pdf)

NEFSC. 2021b. Scup Management Track Assessment for 2021; [https://apps-nefsc.fisheries.noaa.gov/saw/sasi/uploads/2021\\_scup\\_MTA\\_report.pdf](https://apps-nefsc.fisheries.noaa.gov/saw/sasi/uploads/2021_scup_MTA_report.pdf)

NEFSC. 2021c. Black Sea Bass Management Track Assessment for 2021; [https://apps-nefsc.fisheries.noaa.gov/saw/sasi/uploads/BSB\\_Operational\\_assessment\\_2021-iii.pdf](https://apps-nefsc.fisheries.noaa.gov/saw/sasi/uploads/BSB_Operational_assessment_2021-iii.pdf)

NEFSC. 2021d. Atlantic Bluefish Management Track Assessment for 2021; [https://apps-nefsc.fisheries.noaa.gov/saw/sasi/uploads/Bluefish\\_2021\\_Assessment\\_Update\\_v4.pdf](https://apps-nefsc.fisheries.noaa.gov/saw/sasi/uploads/Bluefish_2021_Assessment_Update_v4.pdf)